United Nations A/HRC/RES/28/13

General Assembly

Distr.: General
7 April 2015

Original: English

Human Rights Council
Twenty-eighth session
Agenda item 3
Promotion and protection of all human rights, civil, political, economic, social and cultural rights, including the right to development

Resolution adopted by the Human Rights Council

28/13. Birth registration and the right of everyone to recognition everywhere as a person before the law

The Human Rights Council,

Guided by the purposes and principles of the Charter of the United Nations,

Reaffirming the human right of everyone to be recognized everywhere as a person before the law, which is enshrined in, inter alia, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the Convention on the Rights of Persons with Disabilities and other relevant international instruments,

Recalling the obligation of States to register all children immediately after birth, without discrimination of any kind, as provided for in the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child, the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families and other relevant international instruments to which they are party,

Recognizing the importance of a human rights-based approach to birth registration, based on international human rights obligations and commitments operationally directed to promoting and protecting human rights,

Welcoming the continuing efforts of the Committee on the Rights of the Child and other treaty-based bodies towards universal birth registration, such as through recommendations widely addressed to States in this regard,

Recalling the resolutions adopted by the General Assembly and the Human Rights Council in which they call upon States to ensure the registration of all children immediately after birth, and without discrimination of any kind, the most recent being Assembly resolution 69/157 of 18 December 2014 and Council resolution 22/7 of 21 March 2013,

Recognizing the importance of birth registration, including late birth registration and the provision of documents of proof of birth, as a means of providing an official record of the existence of a person and the recognition of that individual as a person before the law,

Expressing concern that unregistered individuals may have limited or no access to services and the enjoyment of all the rights to which they are entitled, and taking into consideration that registering a person's birth is a vital step towards the promotion and protection of all of his or her human rights, and that persons without birth registration are more vulnerable to marginalization, exclusion, discrimination, violence, statelessness, exploitation and abuse,

Recognizing that free birth registration and free or low-fee late birth registration are part of a comprehensive civil registration system that facilitates the development of vital statistics and the effective planning and implementation of programmes and policies intended to promote better governance and to achieve internationally agreed development goals,

Recognizing also the efforts made at the regional level to achieve universal birth registration, including within the 2015–2024 Civil Registration and Vital Statistics Decade for Asia and the Pacific, and the Decade on Civil Registration 2015–2024 in Africa,

Recognizing further that non-governmental organizations, professional associations, media, the private sector and other members of civil society, including those involved in public-private partnerships, can also contribute to the improvement and promotion of community awareness of birth registration in a manner that reflects national priorities and strategies,

1. *Expresses concern* at the fact that, despite ongoing efforts to increase the global rate of birth registration, approximately 230 million children under the age of 5 worldwide are still not registered, according to the United Nations Children's Fund;

2. *Reminds* States of their obligation to register births without discrimination of any kind and irrespective of the status of the parents of the child, and also reminds States that birth registration should take place immediately after birth, and that late birth registration should be limited to those cases that would otherwise result in a lack of registration;

3. *Welcomes* the report of the Office of the United Nations High Commissioner for Human Rights on birth registration and the right of everyone to recognition everywhere as a person before the law,[1] which documents the wide range of barriers to access to universal birth registration and the good practices adopted by States in fulfilling their obligation to ensure birth registration;

4. *Calls upon* States to establish or strengthen existing institutions at all levels responsible for birth registration and the preservation and security of such records, to ensure adequate training for registration officers, to allocate sufficient and adequate human, technical and financial resources to fulfil their mandate, and to increase, as needed, the accessibility of birth registration facilities, either by increasing the number or through other means, such as mobile birth registration officials in rural areas, paying attention to the local community level, promoting community awareness and working to address the barriers faced by vulnerable groups, such as persons with disabilities, in their access to birth registration;

[1] A/HRC/27/22

5. *Also calls upon* States to take all appropriate measures to permanently store and protect civil registration records and to prevent the loss or destruction of records due to emergency or armed conflict situations;

6. *Further calls upon* States to ensure free birth registration, including free or low-fee late birth registration, by means of universal, accessible, simple, expeditious and effective registration procedures, without discrimination of any kind;

7. *Calls upon* States to raise awareness of birth registration continuously at the national, regional and local levels, including by engaging in collaboration with all relevant actors in public campaigns that raise awareness of the importance of birth registration for effective access to services and the enjoyment of human rights;

8. *Also calls upon* States to ensure that lack of birth registration or documents of proof of birth does not constitute an obstacle to access to and the enjoyment of relevant national services and programmes in accordance with international human rights law;

9. *Urges* States to identify and remove physical, administrative, procedural and any other barriers that impede access to birth registration, including late registration, paying due attention to, inter alia, barriers relating to poverty, disability, gender, nationality, displacement, illiteracy and detention contexts, and persons in vulnerable situations;

10. *Invites* States and other relevant stakeholders to work towards ensuring universal birth registration through, inter alia, the exchange of good practices and technical assistance, including through the universal periodic review and other relevant mechanisms of the Human Rights Council;

11. *Encourages* States to request technical assistance, if required, from relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders in order to fulfil their obligation to undertake birth registration as a means of respecting the right of everyone to be recognized everywhere as a person before the law;

12. *Invites* relevant United Nations bodies, agencies, funds and programmes and other relevant stakeholders to cooperate with States in providing technical assistance, upon request, and calls upon them to ensure that persons with no birth registration are not discriminated against in any of their programmes;

13. *Recognizes* the importance of international cooperation in supporting national efforts to ensure universal birth registration;

14. *Requests* the High Commissioner to identify and actively pursue opportunities to collaborate with the United Nations Statistics Division and other relevant United Nations agencies, funds and bodies, as well as other relevant stakeholders, in order to strengthen existing policies and programmes aimed at universal birth registration and vital statistics development, and to ensure that they are based on international standards, taking into account best practices, and are implemented in accordance with relevant international human rights obligations, and also requests the High Commissioner to prepare a report on efforts made in this regard and to submit it to the Human Rights Council at its thirty-third session;

15. *Decides* to consider this issue in accordance with its annual programme of work.

55th meeting
26 March 2015

[Adopted without a vote.]